GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

W.D. & C.W. - Appeal dated 12-06-2014 preferred by Sri A.Subba Raju, former Senior Assistant. O/o Commissioner, W.D & C.W., A.P., Hyderabad to review the orders issued in Govt. Memo.No.884/Estt.A1/2013-3, dated 26-05-2014 – Reinstatement into service – Orders – Issued.

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DEPT. FOR WOMEN, CHILDREN, DISABLED AND SENIOR CITIZENS (ESTT.A1)

G.O.MS.No. 30 Dated 15th July, 2015.

Read the following:-

1. Director, W.D & C.W., A.P., Hyderabad, Memo.No.1312/C2/2008, dated 12-03-2008.
2. Director, W.D & C.W., A.P., Hyderabad, Memo. No.1321/C2/2008, dated 24-05-2009.
3. Two appeals dated 27-05-2009 and 15-10-2009 filed by Sri A.Subba Raju, Ex – Sr. Asst., O/o Commissioner, W.D & C.W., A.P., Hyderabad.
4. From the Commissioner, W.D & C.W., A.P., Hyderabad, Lr. No.1321/C2/2008, dated 13-03-2013.
5. Government Memo.No.884/Estt.A1/2013-3, dated 26-05-2014.
6. Appeal dated 12-06-2014 preferred by Sri A.Subba Raju, Ex – Sr. Asst., O/o Commissioner, W.D & C.W., A.P., Hyderabad.

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ORDER: -

The Commissioner, W.D & C.W., in Lr. dt.13-03-2013 vide reference 4th read above has stated that Sri A.Subba Raju, Ex – Senior Assistant, O/o Director, W.D & C.W., A.P., Hyderabad, has submitted his resignation from the service in his Lr. 02-01-2008, who has been informed that acceptance of resignation from service cannot be considered as per the provisions under Rule – 30 of A.P.State and Subordinate Service Rules, 1996, since a Charge Memo. was issued to him by the Collector & District Magistrate, Ranga Reddy District, for his procedural lapse, while he was working as In-charge Panchayat Secretary, Grampanchayat, Nizampet, R.R.District. Subsequently, the District Collector, R.R.District, in Procs.No.1283/2007-A1, dated 08-05-2009, had dropped the action against the individual and hence, the Commissioner, W.D & C.W., vide Proc. 2nd read above had issued orders, accepting his resignation. The Commissioner, W.D & C.W., has therefore, requested the Govt. to issue necessary orders in the matter.

2. In the circumstances stated above, Government, after examining the matter, vide Memo.5th read above, have issued orders, rejecting the appeal petitions preferred by Sri A.Subba Raju, Ex – Senior Assistant, O/o Commissioner, W.D & C.W., A.P., Hyderabad, for reinstatement into service, as the resignation of the appellant to the post of Senior Assistant, was accepted by the Director, W.D & C.W., after the charge Memo. had been dropped.

3. Subsequently, Sri A.Subba Raju, Ex – Sr. Asst, has preferred an appeal petition dated 12-06-2014, stating that he was joined as Junior Assistant in the O/o Director, W.D & C.W., A.P., during the year 1995 and after completion of nine years of service in the category of Senior Assistant, applied for resignation to the Govt. Service on 02-01-2008, as he had unable to attend the Office on family and personal reasons and requested the Director, WD & CW., to accept the resignation. Since the Director, WD & CW., vide Memo.No.1312/C2/08, dated 12-03-2008 had not considered his request, he had been constrained to continue in service as Sr. Asst. in O/o Director, W.D & C.W., A.P., and discharging duties, presuming that no further orders of acceptance of resignation will receive from the Director, W.D & C.W., A.P., forever as the matter has been solved once for all. Hence, he could not submit further letter, to withdraw his earlier resignation tendered by him on 02-01-2008, with an intention to continue in service in the changed circumstances of his family and that he continued

in service as Sr. Asst., nearly a period of one year and two months. He also stated that all of a sudden, the Director, W.D & C.W., A.P., vide Procs.No.1321/C2/2008, dated 24-05-2009 have accepted the resignation dated 02-01-2008 tendered by him, without giving any notice to him and not given him any opportunity to him, as a natural justice. Being a loyal public servant to the Govt. and in obedience to the orders of the Director, W.D & C.W., he had handed over the charge of the post of Sr. Asst. and relieved from service, even though it is too hard to him. He also mentioned that since the resignation tendered by him was once rejected by the Dir., W.D & C.W., A.P., vide Memo.No.1312/C2/2008, dt.12-03-2008, the Dir., W.D & C.W., A.P., could not accept the resignation, which was already rejected by him once again vide further Procs.No.1321/C2/2008, dated 24-05-2009, without tendering any fresh / further resignation letter by him. He has therefore, requested the Govt. to reinstate him into Service as Sr. Asst., in O/o Commissioner, W.D & C.W., A.P., Hyderabad, as the Director, W.D & C.W., either given him any kind of notice or not provide to him any opportunity before disposing his earlier resignation letter dated 02-01-2008 in order to avoid financial hardships caused to him in maintaining the family on humanitarian grounds since he is only bread winner to his family.

4. In the circumstances stated above, Government after careful consideration of the matter, hereby order for reinstatement of Sri A.Subba Raju, former Senior Assistant, O/o Director, W.D & C.W., A.P., Hyderabad, into service, as the Director, W.D & C.W., A.P., either given him any kind of notice or not provide him any opportunity before accepting his resignation.

5. The Director, W.D & C.W., A.P., Hyderabad, shall take necessary further action in the matter, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Dr. (Smt.)POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To
Sri A.Subba Raju, former Senior Assistant, O/o Director, W.D & C.W., A.P., Hyderabad through the O/o Director, W.D & C.W., A.P., Hyderabad.
The Director, W.D & C.W., A.P., Hyderabad.
The Accountant – General, A.P., Hyderabad.
Copy to: -
The Director of Treasuries and Accounts, A.P., Hyderabad.
The P.S to Secretary to Hon'ble C.M. (GS), C.M's Office, A.P.Secretariat, Hyderabad.
The P.S to Hon'ble Minister (W.D & C.W), A.P.Secretariat, Hyderabad.
SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER